

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Matassa, Victor G. et al.

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20	rial	No.	
		INU.	

09/719,261

Filed:

July 23, 2001

For:

PEPTIDE INHIBITORS OF HEPATITIS C VIRUS NS3

**PROTEASE** 

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Art Unit:	1645	 	
Examiner:		 	

DOCKETED
SEP 1 5 2003
LORI SCHEPISI

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

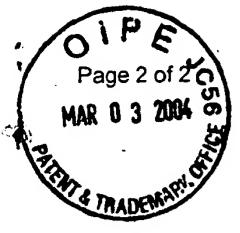
Sir:

- 1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
- 2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
- 3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
- 4. Pursuant to the waiver by the Office of the requirement under 37 CFR 1.98 (a)(2)(i) dated July 11, 2003, if the filing date of this application is after June 30, 2003, copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

thereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

Date



## INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited
by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120
are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

	RELATED AP	PLICATION
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE
f this is inconvenient, additional copies will be submitted u	pon request.	
6. In accordance with 37 C.F.R. 1.97, (check one)		
the attached information is filed within three months of	the filing date of the captioned case.	
The attached information is filed more than three month Office Action on the merits.	s after the filing date but prior to the r	mailing of a first
the attached information is being filed more than three Office Action on the merits, but before the mailing date authorization is therefore given to charge Deposit Acco	of a Final Action or Notice of Allowar ount No. 13-2755 for the fee required	under 37 C.F.R.
1.17(p).  the undersigned certifies that each item of information cited in any communication from a foreign patent office months prior to the filing of this Statement.	contained in this Information Disclosu in a counterpart foreign application r	re Statement was fir not more than three
the undersigned certifies that no item of information con a communication from a foreign patent office in a count person signing the certification after making reasonable C.F.R. 1.56(c) more than three months prior to the filing	terpart foreign application, and, to the e inquiry, was known to any individua	e knowleage of the
	Respectfully submitted,	
	Bhlil-Hill	
	By: Sheldon O. Heber	
	Attorney For App	olicant(s)
	Reg. No. 38,179	
	MERCK & CO., INC. Patent Dept., RY60-30	
	P.O. Box 2000	
	Rahway, N.J. 07065-090	)7
	(732)594- <u>1958</u>	-
	Date:	

	Substitute for form 1449A/PTO			COM: LL IF KNOWN		
•		DISCLOSURE	Application Number	09/719,261		
`,	TPE TEMENT DY	(uses many sheets as necessary)	Filing Date	July 23, 2001		
STATEMENT BY APPLICANT		First Named Inventor	Matassa, Victor G. et al.			
	MAR 0 3 2004		Group Art Unit	1645		
13		as necessary)	Examiner Name			
	Sheet 1	of 2	Attorney Docket Number	ITR0020P		

	U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.	U.S. Patent Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY		
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FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.	Office		ign Patent Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		wo	98/22496			F. Hoffmann-La Roche Ag	05/28/1998
		wo	97/36587			Merck & Co., Inc.	10/09/1997
		wo	97/43310			Schering Corporation	11/20/1997
		wo	98/17679			Vertex Pharmaceuticals Incorporated	04/30/1998
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Examiner Signature Date Considered

<sup>\*</sup>Examiner: Initial if reference considered, whether or not citation is in conformance with MPEH 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1	Substitute for form 1449B/PTO				COM: LE IF KNOWN
į	INFORMATION	DISCL	OSURE	Application Number	09/719,261
	TPE TENTENT DE	LADDI	IC A NIT	Filing Date	July 23, 2001
	STATEMENT BY	APPL	ICANI	First Named Inventor	Matassa, Victor G. et al.
	MAR 0 3 2004 6		,	Group Art Unit	1645
*		is as neces	ssary)	Examiner Name	
	Sheet 2	of	2	Attorney Docket Number	ITR0020P

	NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.					
		Ingallinella, P. et al. "Potent Peptide Inhibitors of Human Hepatitis C Virus NS3 Protease Are Obtained by Optimizing the Cleavage Products", Biochemistry, 1998, Vol. 37, pp. 8906-8914					
		Steinkuhler, C. et al. "Product Inhibition of the Hepatitis C Virus NS3 Protease", Biochemistry, 1998, Vol. 37, pp. 8899-8905					

Examiner Signature	Date Considered	

<sup>\*</sup>Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.